



# City Council Agenda

Council President  
**Tom Boyajian**

Councilmembers

**Garry Bredefeld**, Acting Council President  
**Chris Mathys**,  
**Henry Perea**

**Sal Quintero**  
**Daniel Ronquillo**  
**Ken Steitz**

City Manager  
**Jeffrey M. Reid**

City Clerk  
**Rebecca E. Klisch**

City Attorney  
**Hilda Cantú Montoy**

The meeting room is accessible to the physically disabled, and the services of a translator can be made available. Requests for additional accommodations for the disabled, signers, assistive listening devices, or translators should be made one week prior to the meeting. Please call City Clerk's Office at 498-1321

The City Council welcomes you to this meeting.

**TUESDAY, SEPTEMBER 26, 2000**

**IF YOU WOULD LIKE TO SPEAK, FILL OUT A SPEAKER REQUEST FORM AVAILABLE FROM THE CITY CLERK'S OFFICE AND IN THE COUNCIL CHAMBERS. THE AGENDA IS AVAILABLE ON ([www.ci.fresno.ca.us](http://www.ci.fresno.ca.us)). THE COUNCIL MEETING CAN ALSO BE HEARD LIVE AT THE SAME WEB SITE ADDRESS.**

## **9:00 A.M. COUNCIL ROLL CALL**

Invocation by Monsignor Esquivel of St. Johns Cathedral

Pledge of Allegiance to the Flag

Proclamation of "SCOUT LEADERS DAY" - Council President Boyajian

Presentation of Resolutions of Commendation to Mr. & Mrs. Kevin Thompson, Mark Fortney and Thomas Baker

Proclamation To The Winner Of "MY DOG, MY BEST FRIEND" Essay Contest - Councilmember Mathys

**COUNCIL ACTION OF UNSCHEDULED ITEMS, IF ANY, SHALL BE LIMITED TO REFERRING THE ITEM TO STAFF FOR A REPORT AND POSSIBLE SCHEDULING ON A FUTURE COUNCIL AGENDA. FOR EACH MATTER CONSIDERED BY THE COUNCIL, THERE WILL FIRST BE A STAFF PRESENTATION, FOLLOWED BY A PRESENTATION FROM THE PROJECT APPLICANT. TESTIMONY FROM THOSE IN ATTENDANCE WILL THEN BE TAKEN. ALL TESTIMONY GIVEN WILL BE LIMITED TO THREE MINUTES PER PERSON.**

**THE THREE LIGHTS ON THE PODIUM NEXT TO THE MICROPHONE WILL INDICATE THE AMOUNT OF TIME REMAINING FOR THE SPEAKER. THE GREEN LIGHT WILL BE TURNED ON WHEN THE SPEAKER BEGINS. THE YELLOW LIGHT WILL COME ON WITH ONE MINUTE REMAINING AND ONE TONE WILL SOUND. THE SPEAKER SHOULD BE COMPLETING THE TESTIMONY BY THE TIME THE RED LIGHT COMES ON AND TWO TONES SOUND, INDICATING THAT TIME HAS EXPIRED.**

Approve City Council minutes of September 19, 2000

**Action Taken:**

Approve Agenda

**Action Taken:**

Adopt Consent Calendar

**Action Taken:**

## **TIME SCHEDULED HEARINGS AND MATTERS**

**10:00 A.M. HEARING** to consider approval of the Behymer/Maple No. 3 Reorganization, filed by the City of Fresno, for the detachment of 103 acres (420 residential lots) from the Fresno County Fire Protection District, County Service Area No. 7 and the Kings River Conservation District, and annexation of the same territory to the City of Fresno

**Action Taken:**

1. \* **RESOLUTION** - In the matter of the Behymer-Maple No. 3 Reorganization confirming the order of reorganization by annexation to the City of Fresno and detachment from the Fresno County Fire Protection District, County Service Area No. 7 and Kings River Conservation District

**Action Taken:**

**10:15 A.M.** Presentation by COG relating to the Highway 99 beautification

**Action Taken:**

1. **RESOLUTION** - Endorsing the "Highway 99 Beautification Master Plan"

**Action Taken:**

**10:30 A.M.** Consider recommendations submitted by COG relating to the Herndon Avenue Specific Study - Councilmember Steitz

**Action Taken:**

**10:45 A.M. RESOLUTION** - Supporting adoption of Senate Bill 1629 (ensuring that bicyclist and pedestrian needs are considered in all major highway projects in the State of California) - Councilmember Perea

**Action Taken:**

**11:00 A.M. HEARING** to consider resolution of public use and necessity for acquisition of three easements for the construction of N. Maple Avenue, north of E. International Avenue (APN 301-101-02, 03 and 04)

**Action Taken:**

- a. \* **RESOLUTION** - Determining that public interest and necessity require the widening of a portion of N. Maple Avenue, north of E. International Avenue in conjunction with the development of UGM Tract 4884, and that the acquisition of an easement is necessary for the project

**Action Taken:**

**11:30 A.M. HEARING** to consider cardroom permit application. Request by David Louis Chandolay for transfer of 100% ownership in Duke's Cardroom, 2039 Kern Street (*Continue to October 3, 2000 @ 11:00 a.m.*)

**Action Taken:**

***\*ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION***

## **TIME SCHEDULED HEARINGS AND MATTERS CONTINUED**

**2:00 P.M.#1** **DISCUSSION OF CONTESTED CONSENT ITEMS (IF ANY)**

**2:00 P.M.#2** **CLOSED SESSION**

**A. CONFERENCE WITH LABOR NEGOTIATOR** - Government Code Section 54957.6 (Councilmember Quintero)

**City Negotiator(s):** Jorge Aguiniga and Andrew T. Souza

**Employee Organization(s):**

1. Fresno Police Officers Association Non-Supervisory Police (FPOA)
2. International Association of Firefighters, Local 753 Non-Management Fire (IAFF)
3. Amalgamated Transit Union, Local 127 (ATU)
4. International Association of Firefighters, Local 753 Fire Management (IAFF)

**Action Taken:**

**B. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION** - Government Code Section 54956.9, Subdivision (a)

1. **Case Name:** Rolinda Osburn v. City of Fresno, et al.
2. **Case Name:** Myrna Loran v. City of Fresno
3. **Case Name:** Memorial Auditorium Restoration Society (MARS) v. City of Fresno, et al.

**Action Taken:**

**2:30 P.M.** **JOINT MEETING WITH THE REDEVELOPMENT AGENCY**

Approve Agency minutes of July 25, 2000

**Action Taken:**

**A. JOINT HEARING** to review the Disposition and Development Agreement between the Redevelopment Agency and City of Fresno for the development of a publicly-owned multipurpose stadium on an 11-acre site generally bounded by Tulare, Broadway/"H" and Inyo Streets, and the Fulton Mall or Broadway/Fulton alley. Alternative agreements to be presented

*(Continue to 10/10/2000 @ 9:00 a.m.)*

**Action Taken:**

**B.** Request for direction to staff regarding private property offer to convey reversionary interest in Palm Lakes Golf Course to Agency *(Council and Agency action)*

**Action Taken:**

**ADJOURN AGENCY**

***\*ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION***

## **TIME SCHEDULED HEARINGS AND MATTERS CONTINUED**

**3:00 P.M.** Appearance by Norman Pimental to request the service of Fresno Area Express conform with the Americans For Disabilities Act (ADA)

**Action Taken:**

**3:05 P.M.** Appearance by Tom Marsella regarding request to repair potholes and standing water problem at the intersections of Kincaid and Roberts and Briarwood and Roberts Avenues - Councilmember Mathys

**Action**

### **1A. GENERAL CONSENT CALENDAR**

**(ALL CONSENT CALENDAR ITEMS ARE CONSIDERED TO BE ROUTINE AND WILL BE ENACTED BY ONE MOTION. THERE WILL BE NO SEPARATE DISCUSSION OF THESE ITEMS UNLESS REQUESTED, IN WHICH EVENT THE ITEM WILL BE REMOVED FROM THE CONSENT CALENDAR AND CONSIDERED AT 2:00 P.M.)**

1. \* **RESOLUTION** - 375<sup>th</sup> amendment to MFS Resolution No. 80-420 Airways Golf Course green fees  
**Action Taken:**
2. \* **RESOLUTION** - Ordering the summary vacation of a sewer lift station easement on the north side of Sierra Avenue east of Hayes Avenue  
**Action Taken:**
3. Request approval of sale of land at the southwest corner of W. Herndon and N. Brawley Avenues to Garrek's, Inc.  
**Action Taken:**
4. **RESOLUTION** - Approving Final Map of Tract No. 4902, Phase III of Vesting Tentative Map No. 4570 and accepting dedicated public uses therein, a 100-lot single-family residential subdivision on 29.96 acres, located on the west side of S. Sunnyside Avenue, between E. Church Avenue and the E. California Avenue alignment  
**Action Taken:**
5. \* **RESOLUTION** - 37<sup>th</sup> amendment to AAR No. 2000-183 appropriating \$10,000 reimbursed from Orange County for expenses incurred in hiring and retraining firefighters displaced by the closure of El Toro and Tustin Marine Corps Bases (*Requires 5 affirmative votes*)  
**Action Taken:**
6. Approve selection of medical provider to provide drug testing services, pre-placement, and specialized medical examinations  
**Action Taken:**
7. **RESOLUTION** - Authorizing certain Finance Officers of the City of Fresno to sign City checks and various investment and commercial banking documents and to provide verbal instructions as required for the prudent and financial administration and safekeeping of City funds  
**Action Taken:**

***\*ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION***

1B. **CONSENT CALENDAR - BILL FOR INTRODUCTION - PINK TABS**

2. **PLANNING AND ZONING ADMINISTRATION**

3. **GENERAL ADMINISTRATION**

- A. Consider Social Service funding application appeals for FY 2000-2001 and make funding adjustments if necessary - Councilmembers Ronquillo, Steitz and Perea

**Action Taken:**

1. Reconsider allocations of Social Service funding applications on FY 2000-2001 - Councilmember Perea

**Action Taken:**

- B. \* **RESOLUTION** - 26<sup>th</sup> amendment to AAR No. 2000-183 appropriating \$19,500 for the replacement of eleven (11) olive trees on Peach Avenue south of Butler Avenue (***Requires 5 affirmative votes***)

**Action Taken:**

4. **CITY ATTORNEY**

5. **CITY COUNCIL**

- A. Approve appointment of Jeff Barrett to the West Area Community Plan (***for adoption***) - Council President Boyajian

**Action Taken:**

- B. \* **BILL - (*For introduction*)** - Amending Subsection (h) of Section 13-412 of the Fresno Municipal Code relating to Historic Resources -Councilmember Steitz

**Action Taken:**

- C. \* **RESOLUTION** - 44<sup>th</sup> amendment to AAR No. 2000-183 appropriating \$400 of District 1's general fund infrastructure budget to fund the Neighborhood Youth Taught Responsibility Organization and Ethics Program (***Requires 5 affirmative votes***) - Council President Boyajian

**Action Taken:**

- D. \* **RESOLUTION** - 45<sup>th</sup> amendment to AAR No. 2000-183 appropriating \$500 of District 6's general fund infrastructure budget to fund the Clovis West High School Band Boosters (***Requires 5 affirmative votes***) - Acting President Bredefeld

**Action Taken:**

***\*ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION***

5. **CITY COUNCIL ITEMS CONTINUED**

- E. Request City Manager or his designee to direct Development Department to prepare an ordinance to require a Conditional Use Permit prior to issuing a permanent entertainment attraction business license to operate - Councilmember Mathys

**Action Taken:**

- F. Request City Manager to direct staff to determine and present necessary documents for Council approval to designate Enterprise Zone acreage to include APN 458-071-010 located at Nielsen and West Avenues in current Enterprise Zone - Councilmember Ronquillo

**Action Taken:**

6. **CITY/COUNTY INTERGOVERNMENTAL RELATIONS**

7. **UNSCHEDULED ORAL COMMUNICATIONS** - You may address the City Council at the conclusion of the Council meeting regarding items that are not listed on the agenda. The policy is to limit your presentation to three (3) minutes pursuant to Ordinance No. 96-67. Please be present at the conclusion of the meeting if you wish to be heard. Anyone wishing to be placed on an agenda for a specified topic should contact the City Clerk Department at least 10 days prior to the desired date of appearance.

## SCHEDULED COUNCIL HEARINGS AND MATTERS

- Oct. 3 - 10:00 A.M. HEARING** re: P.A. No. A-99-32, Rezone Appl. No. R-99-48, filed by Roger Petersen
- Oct. 3 - 10:15 A.M. HEARING** re: Rezone Appl. No. R-00-022, filed by N & S Neurology Center
- Oct. 3 - 10:20 A.M. HEARING** re: Rezone Appl. No. R-00-024, filed by Paul and Susan Lucich
- Oct. 3 - 10:25 A.M. HEARING** re: Rezone Appl. No. R-00-26, filed by Vineyard Christian Fellowship of Clovis
- Oct. 3 - 11:00 A.M.** Consideration of cardroom permit application of David Chanduloy (Duke's Cardroom, 2039 Kern Street)
- Oct. 10 - 9:00 A.M. CONTINUED JOINT HEARING** re: D&DA betw. the RDA and City of Fresno for the development of the publicly-owned multipurpose Stadium
- Oct. 17 - CONTINUED HEARING** re: Rezoning Appl. No. R-00-011, filed by Richard C. Ginder, Jr./W.G. Enterprises, for approximately one (1) acre of real property, located at 6875 N. Milburn Avenue
- Oct. 24 - 9:00 A.M.** Presentation of P.R.I.D.E. Team Certificates for the Fall Quarter (*Reception immediately following - 2<sup>nd</sup> floor foyer*)
- Oct. 24 - 10:00 A.M.#1 HEARING** P.A. No. A-00-06, change bike path to bike lanes on Butler/Willow Specific Plan Area
- Oct. 24 - 10:00 A.M.#2** P.A. No. A-00-11, designate S. Winery Avenue as a through street between E. Lane Avenue and E. Kings Canyon Road
- Oct. 24- 5:00 P.M.** P.A. No. A-00-03, Rezone Appl. No. R-00-04, filed by Beal Properties, Inc.
- Oct. 31- 9:30 A.M.** Presentation by City of Fresno Historic Preservation Commission State of Historic Preservation Report
- Oct. 31 - 10:00 A.M.** Presentation of Employee Service Awards (*Reception immediately following - 2<sup>nd</sup> floor foyer*)
- Nov. 7 - NO MEETING**
- Nov. 14 - 5:00 P.M. CONTINUED HEARING** to consider Plan Amendment Application No. A-00-07, Rezoning Application No. R-00-13, and environmental findings, filed by Halferty Development
- Nov. 27 - 30** General Plan Hearings

***\*ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION***

